

## **Recommendations for Statutory or Regulatory Changes 21.795.2(7) RSMo**

*The information in this section is in accordance with the following section of the reporting statute. "Specific Recommendations for any statutory or regulatory changes necessary for the efficient and effective operation of the department;..." Section 21.795.2(7) RSMo 2000.*

The Missouri Department of Transportation (MoDOT) is striving to maintain its existing transportation system, and continues to work with the available funding for construction and rehabilitation of the state road system. MoDOT is committed to working with the Governor's Office and the General Assembly in the 2003 legislative session to explore ways to enhance transportation programs and operations and to accelerate project completion.

Last year, the General Assembly considered a number of legislative proposals that affect Missouri's transportation system. Some of the legislative proposals were: repealing the expiration for the fuel tax, preventing the transport of hazardous materials through tunnels, changing standards for outdoor advertising, creating "One Stop Shop" for motor carriers and railroad safety.

This year, MoDOT has identified the following recommended statutory alternatives that could improve the department's effectiveness and efficiency.

**OPEN CONTAINER.** The goal is to improve safety in all transportation modes by creating partnerships with other groups and agencies and to promote safety legislation that will protect the traveling public. Prohibiting the possession of alcoholic beverages in motor vehicles will help protect the traveling public on Missouri's highways. The legislation also supports the efficient management of MoDOT resources by keeping these funds in their current federal program categories where there is some flexibility on how to spend them. Once these funds are transferred, this flexibility is gone and the funds can only be spent on certain safety projects. Since Missouri will not have in place an open container law that complies with the new federal statutes by October 1, 2002, MHTC must transfer 3 percent (or \$10.4 million) of its federal highway construction and maintenance funds to safety programs relating to either eliminating driving hazards on the highway or drunk driving prevention programs. In 2001, MoDOT was required to transfer 1 ½ percent (or \$5.2 million) of federal highway construction and maintenance funds to highway safety projects for failure to pass a compliant open container law.

**TOLL FACILITIES.** A joint resolution and enabling legislation would give MHTC the authority to build, maintain and operate toll highways and bridges in Missouri. MoDOT believes this proposal will help accelerate appropriate highway projects, especially major highway and possibly interstate projects. Quicker construction of highway projects brings swifter safety benefits to Missouri citizens and avoids future construction inflation costs. Accelerating projects will increase investment in the current transportation system and provide safety benefits more quickly to the traveling public. They will assist MoDOT in delivering our Statewide Transportation Improvement Plan and help us manage our existing resources more effectively. These tools will help MoDOT do its work more effectively and efficiently.

**ONE STOP CLEANUP.** The MoDOT Business Plan contains two strategic issues that are supported by this legislation – Safety and Management of Resources. By making technical changes to strengthen enforcement and align the state statutes with federal requirements, MoDOT employees will be more efficient in the administration of motor carrier services. MoDOT is very concerned with safety on our state system of highways. MoDOT believes that passage of this legislation will promote motor carrier safety. More motor carriers that comply with safety measures will make roads safer for the other traveling motorists.

**MHTC CLEANUP.** By correctly identifying the proper names and references for MoDOT and other entities and funds, this will make MoDOT employees more efficient when determining the responsibility for an agency action or proper crediting of a state fund. The legislation will also set forth the correct agency for particular statutory authority. By eliminating these inconsistencies MoDOT will: (1) educate new legislators on the unique constitutional relationship of MHTC and MoDOT; (2) demonstrate MHTC's authority to administer all state transportation programs; (3) clarify certain statutory functions to be performed by the chief engineer of MoDOT; and (4) identify various funds to which state revenues derived from highway users are deposited.

While these are the issues for which MODOT is specifically requesting General Assembly approval during the 2003 legislative session, there are other legislative proposals that the department has supported in previous sessions and will continue to support if they are brought up for consideration in 2003. These proposals include safety initiatives for the traveling public and MoDOT employees, additional funding, and innovative financing. MoDOT will continue to provide information on these and all transportation related initiatives in 2003.